

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:96-CR-39-BR
No. 5:08-CV-302-BR

ASHANN-RA a/k/a/ CHRISTOPHER)
DOZIER,)
Petitioner,)
v.)
UNITED STATES OF AMERICA,)
Respondent.)

ORDER

This matter is before the court on the 1 June 2011 Memorandum and Recommendation (“M&R”) of Magistrate Judge James E. Gates, regarding the government’s motion for summary judgment. Petitioner has not filed any objection to the M&R, and the time within which to do so has expired.¹ The court ADOPTS the M&R as its own, and for the reasons stated therein, the government’s motion for summary judgment is ALLOWED. The § 2255 motion is DISMISSED, and the Clerk is DIRECTED to close this case. The court finds that petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings, a certificate of appealability is DENIED.

This 28 June 2011.



W. Earl Britt

Senior U.S. District Judge

¹On 22 June 2011, petitioner did file a document entitled “Bill.” However, that document and its attachments refer to the Uniform Commercial Code, which obviously has no relevance to this habeas corpus proceeding, and those documents contain nothing which the court would deem an objection to the M&R.